

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

2005 OCT 14 P 2:09

**JAMES GOODREAU AND
ANN GODDREAU,
Plaintiffs**

VS.

**ICS, BLOUNT INC.
Defendant**

**C.A. NO. 05-11611 WGY
U.S. DISTRICT COURT
DISTRICT OF MASS.**

**STATEMENT OF THE PLAINTIFFS PURSUANT TO LOCAL RULE 16.1 SECTIONS
(B), (C) AND (D)**

INTRODUCTION

This personal injury action stems from an incident on December 13, 2004, in which the Plaintiff, James Goodreau, alleges he sustained severe personal injuries when he was struck by the chain ICS 835 Pro-Plus Hydraulic Chainsaw, manufactured, designed, developed, tested, inspected, promoted, marketed, and/or sold by the Defendant. The Plaintiff have brought a negligence claim against the Defendant. In addition, the Plaintiffs have brought a breach of warranty claim against the Defendant. The Plaintiff, Ann Goodreau, has brought a loss of consortium claim against the Defendant.

The Defendant has denied negligence and breach of warranty.

PROPOSED PRE-TRIAL SCHEDULE

The Defendant recently filed its Statement pursuant to Local Rule 16.1 (B), (C) and (D). Plaintiff's counsel has had the opportunity to speak with Defendant's counsel regarding the proposed Pre-Trial schedule.

Plaintiffs' counsel is in agreement with all of the deadline dates proposed by Defendant's counsel through November 6, 2006 at which time the Defendant will designate Experts and provide Rule 26(a)(2) information. The parties jointly propose the completion of Expert Depositions as January 6, 2007, with that date also serving as the Deadline to complete Discovery. The parties propose that the schedule for Motion and Pre-Trial Conference corresponding by moved back 30 days so that:

All Motions for Summary Judgment F.R.C.P. to be filed on or before :
February 6, 2007

Joint Pre-Trial Conference Statement to be filed on or before:
March 6, 2007

Trial:
April 6, 2007

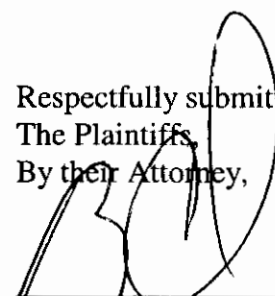
With regards to ADR option and Trial by Magistrate, the Plaintiffs are in agreement with the Defendant.

SCHEDULING DISAGREEMENT BETWEEN THE PARTIES

The Plaintiffs have proposed that while the Plaintiffs' Designation of Experts and Rule 26(a)(2) information will be provided to the Defendant by September 6, 2006, the Plaintiffs would require a stipulation that the Plaintiffs' Experts not be deposed until the Defendant has made its designation of Experts and provided its Experts' Rule 26(a)(2) information. The Defendant is not willing to agree to this stipulation.

Attached is a proposed Pre-Trial Schedule.

Respectfully submitted,
The Plaintiffs,
By their Attorney,



Brian C. Dever
BBO #544203
KECHES & MALLIN, P.C.
122 Dean Street
Taunton, MA 02780
(508) 822-2000

PROPOSED PRE-TRIAL SCHEDULE

1. **Initial Disclosures Will be Exchanged :**
January 8, 2006
2. **Deadline For Parties to Exchange Written Discovery:**
March 6, 2006
3. **Deadline For Motion to Change Venue, Joinder of Parties and Amendment of Pleadings:**
May 6, 2006
4. **Non-Expert Depositions to be Completed by:**
July 31, 2006
5. **Plaintiff Shall Designate Experts and Provide Rule 26(a)(2) Information by:**
September 6, 2006
6. **Defendant Shall Designate Experts and Provide Rule 26(a)(2) Information by:**
November 6, 2006
7. **Expert Depositions to be Completed by:**
January 6, 2007
8. **Deadline to Complete Discovery:**
January 6, 2007
9. **All Motions for Summary Judgment F.R.C.P. to be Filed by:**
February 6, 2007
10. **Joint Pre-Trial Conference Statement to be Filed by:**
March 6, 2007
11. **Trial:**
April 6, 2007

CERTIFICATE OF SERVICE

I, Brian C. Dever, Esquire, of the Law Firm of Keches & Mallen, P.C., attorney for the plaintiffs in this action, hereby certify that on the 14th day of October, 2005, I forwarded a copy of the foregoing STATEMENT OF THE PLAINTIFFS PURSUANT TO LOCAL RULE 16.1, SECTIONS (B)(C) AND (D) by faxing, to the following counsel of record:

Gerald C. DeMaria, Esq.
Higgins, Cavanagh & Cooney, LLP
The Hay Building
123 Dyer Street
Providence, RI 02903-3087



Brian C. Dever, Esq.-BBO #544203
KECHES & MALLEN, P.C.
122 Dean Street
Taunton, MA 02780
Tel. No: (508) 822-2000